

The Honorable Tana Lin

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SEAN BRYCE HENDERSON,

Defendant.

NO. CR24-233 TL

DISCOVERY PROTECTIVE ORDER

This matter, having come to the Court's attention on the parties' stipulated motion for entry of a discovery protective order, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Material, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Material is limited to the defense attorneys of record, and investigators, paralegals, law clerks, experts, and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team). This

category of Protected Material will be marked and labeled as “PROTECTED” by the government:

- a. Investigative reports and other discovery materials containing information about ongoing investigations or sensitive law enforcement techniques, resources, or data.

2. Scope of Review of Protected Material

Defense attorneys of record and members of the defense team may display and review the Protected Material with the defendant. The attorneys of record and members of the defense team acknowledge that providing copies of the Protected Material to the defendant is prohibited and agree not to duplicate or provide copies of Protected Material to the defendant. They further acknowledge that providing copies of the Protected Material or sharing information contained therein with others not members of the defense team is prohibited by this Order and agree not to do so.

3. Consent to Terms of Protective Order for Defense Team Members Who Are Not Employees

The provisions of the protective order shall apply to all members of the defense team, including but not limited to other attorneys, contract attorneys, investigators, legal assistants, interns, experts, and paralegals. It is the responsibility of defense counsel to ensure that all members of the defense team understand the restrictions of the protective order and understand that they are required to abide by those restrictions.

4. Parties’ Reciprocal Discovery Obligations

Nothing in this order should be construed as imposing any discovery obligations on the government or the defendant that are different from those imposed by case law and Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

1 5. Filing of Protected Material

2 Any Protected Material or information contained therein that is filed with the
3 Court in connection with pre-trial motions, trial, sentencing, or other matters before this
4 Court, shall be filed under seal and shall remain sealed until otherwise ordered by this
5 Court. This does not entitle either party to seal their filings as a matter of course. The
6 parties are required to comply in all respects with the relevant local and federal rules of
7 criminal procedure pertaining to the sealing of court documents.

8 6. Non-termination and Retention of Protected Material

9 The provisions of this Order shall not terminate at the conclusion of this
10 prosecution. Furthermore, after any judgment or disposition has become final and there
11 are no pending proceedings, challenges, appeals, or habeas motions in the case, defense
12 counsel shall destroy the Protected Material. If defense counsel finds that retention of the
13 Protected Material in their possession is necessary for authorized reasons, such as
14 professional or ethical obligations, defense counsel shall retain the Protected Material in
15 their case file subject to the restrictions of this Order.

16 //

17 //

18 //

7. Modification and Parties' Obligation to Meet and Confer

If either party believes a modification of this Order is warranted, they must meet and confer to determine whether they can agree on the necessary modification(s) via stipulated motion before filing a motion to modify this Order with the Court.

DATED this 23rd day of December, 2024.



TANA LIN
United States District Judge

Presented by:

s/ Matthew P. Hampton

MATTHEW P. HAMPTON
Assistant United States Attorney

s/ Dennis Carroll

DENNIS CARROLL
Attorney for Defendant